2. Consideration and return of the the following Bills as passed by Lok Sabha:

(a) The Appropriation (Railways) Bill, 1995.

(b) The Appropriation (Railways) Vote on Account Bill, 1995.

3. General Discussion on Jammu & Kashmir Budget for 1995-96.

4. Consideration and return of the following Bills as passed by Lok Sobha:

(a) The Jammu & Kashmir Appropriation Bill, 1995.

(b) The Jammu & Kashmir Appropriation (Vote on Account) Bill, 1995.

5. Motion of Thanks to the President.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Mr. P. M. Sayeed Will now reply to the discussion held earlier.

PRIVATE MEMBERS BUSINESS

Resolution Re. Measures for tackle increasing crimes in the country, Particularly against women—Contd.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P. M. SAYEED): Sir, I am grateful to the large number of hon. Members who had participated in the discussion on the Resolution moved by my esteemed friend, Shri Viren J. Shah.

Sir, I was also responsible for the continuation of the discussion. Initially we had even violated some of the provsions of the procedure and ratified it later so that this subject, which is very much alive in the country, should be focussed by hon. Members of this august House so as to sensitize the public so that the intended purpose could be achieved. Therefore, that was the intention behind continuing the discussion.

I congratulate the mover of the Resolution and also all the hon. Members who had taken part in the deliberations. Hon. Members had expressed their views on important issues relating to crimes against women, and we followed to debate very intently.

Before I comment on the concern expressed by hon. Members, I would like to clarify that the issues relating to women are many and important They are particularly so when women constitute half the population They cover a wide range of aspects concerning their status in the society and their overall development, and there are several such issues which come under the overall ambit of human rights.

Crime against women happens to be in its worst form. While no country is free from such crimes, it is essential that those perpetrated against women are viewed more seriously. This calls for concerted steps to identify the causes and prevent them In a country like India, which is termed as a sub-continent because of its size and with the second largest population in the world, this task assumes gigantic proportions.

Unfortunately, women in India are mostly unaware of their rights because of illiteracy and oppressive traditions. The suffering of women increases due to ignorance of law and lack of awareness of their rights.

According to the provisions laid down in the Constitution, police and public order, as we are all aware, are State subjects. And legislation, investigation, detection as well as prevention of crimes, including those against women, are the responsibility of the State Governments and Union Territory Administrations. Even so the Government of India has not absolved itself of their responsibilities. We have by convention in the Ministry of Welfare, the Department of Women and Child Development where constantly we have been taking various steps and have been interacting regularly to contain the increasing incidents of crimes against women. The Government of India maintains close liasion with the concerned State Governments regarding atrocities on women and also monitors the trend of various crimes perpetrated thereafter. The Government of India has also written periodically to the State Governments to take effective measures under the existing laws. Our endeavour has always been that justice is ensured to the victims and timely relief is given. The Members present here are also aware of the fact that the Government has been making *suo motu* statements in the House from time to time on serious individual incidents of crimes. While adequate legal provisions exist in the Indian Penal Code, Criminal Procedure Code and in the Indian Evidence Act, the Government is alive to the needs of the changing society in this respect and has been continually modifying and amending the legislation with a view to making such laws more stringent and punitive in nature.

New enactments such as Representation of Women, Dowry Prohibition 1986 Act and the Commission of Sati (Prevention) Act, 1987 have also been passed to protect the dignity of women and prevent violence against women. I would also like to inform hon. Members that the Government has not remained passive to the need for continuously reviewing laws and making them more effective. In addition to the laws enacted, the Government is alive to the need to reorientate these laws as per changing needs and situations.

We have been often hearing of the incidents of molestation of women, rape in police custody, excesses committed on general public as well as on women by the Police which touch the heart of the common man in the society and leads to soul-searching as to what the Government is doing to contain these crimes. Here I would like to clarify that. In regard to allegations of torture and violations of human-rights by the police, instructions have been issued by the Government of India to State Governments and Union Territories from time to time regarding strict compliance of relevant provisions of Criminal Procedure Code. I would like to inform the hon. Members of this House that the subject of crimes against women was discussed in depth for the first time in the Annual Conference of Directors-General of Police from all over the country in July last year. Clear instructions have also been given in that meeting to enforce the available laws on the subject strictly. It has also been decided to make the subject of crimes against women a permanent feature on the agenda in all future Annual Conferences of Directors-General of Police, which will be held in the Ministry of Home Affairs annually.

Further, directions have also been issued to the concerned State Governments to bring about a qualitative change in the thinking of police in their approach towards the suspects, the accused and those detained in custody. Attempts are also being made to formalise the general orientation training in the training courses for police officers belonging to the All-India Sevices, the State Services as well as the lower ranks in the police forces in the States. These forces have been developed and I am happy to inform you that they are a part of the regular

training programmes is the Police Training Academies, colleges and schools in some of the States. With this initiative, I am confident that here would be a change in the approach and behaviour of police at the grass-roots level in dealing with crimes against women. We are also trying to involve NGOs in such training so as to make it more people-oriented. Besides the State Governments, the Union Territory administrations have also been instructed to look into the allegations of violations of human rights speedily and to take measures to create awareness among the public of their rights. With a view to promoting conciliation and securing speedy settlement of disputes relating to marriage and family affairs and for matters connected therewith, the Government of India has enacted the Family Courts Act, 1994. After the enactment of this Act, 49 Family Courts have been set up so far in the States. The Family Courts are essentially the civil courts. They have jurisdiction over matters relating to matrimonial relief, legitimacy, guardianship and maintenance cases. It will be obligatory on the part of the Family Court to endeavour in the first instance to effect reconciliation or a settlement between parties to a family dispute.

In a recent incident of alleged misbehaviour and excesses committed by the local police on the women of Uttarakhand region while proceeding to participate in the rally on the 2nd October, 1994, the National Commission for Women took this opportunity to visit Muzzafarnagar and enquired into the facts and ascertained the veracity of allegations of excesses so committed by the police on the womenfolk. The National Commission for Women had discussions with the victims of the atrocities and formulated their findings in a report which has been submtted to the Government of India. The Commission has recommended a certain policy and administrative measure to prevent such occurrences. These recommendations have been forwarded to the State Government for further implementation at their end. We appreciate the work of the National Commission for Women and hope that such kind of efforts for women will go a long way in ameliorating the overall status of women in our society.

Honourable Members would also share with me the view that crime against women has many manifestations such as rape, kidnapping, dowry deaths, cruelty by husbands, molestation and eve-teasing which has ashmed dangerous proportions and which cannot be tackled by enactment of laws alone. For this purpose various voluntary organisations and NGOs have come forward to offer their assistance in the matter. The country-wide network of NGOs has been playing a very significant role in creating awareness among the rural illiterate population. Agencies like Chetana Aware, Kalj Ma Jagaran and others have mobilised women and have started a strong womens' movement in the country. Similarly, organisations like the SEWA of Ahmedabad, the AAMM of Bombay and the WWF of Madras have also established their credentials even at international levels. About 12,000 voluntary organisations are operating at the grassroots level in various parts of the country. The Government in the Ministry of Welfare have, in the recent past, published a Legal Literacy Manual which attempts to improve the level of awareness of women in both rural and urban areas regarding the laws affecting them as well as the legal procedures. I am sure that hon. Members will agree that this is a good initiative in an area of critical importance. These manuals are being distributed at the grassroot level through Government development functionaries as well as through NGOs as a part of the Government's strategy of awareness

generation. They are easy to read and are very informative.

In addition, the media campaign undertaken by the Government from time to time emphasises the developmental needs of women and girl education in our society as well as attempts to sensitise the society to these issues. On the direction from the Central Government, the State Governments and the Union Territory Administrations have set up women protection cells, anti-dowry cells and anti-crime cells in about nine States and three Union Territories to deal with crimes against women.

I would like to assure the Members of Parliament present here, once again, that the Government will continue to closely monitor the trends in crimes against women as well as custodian crimes and render all possible assistance to curb them. The Government treats a crime against women as a serious crime against the society and an impediment to social peace the maintenance of which is essential for creating conditions conductive to individual and social development. I would like to assure hon. Members that the Central Government will continue to remain alive to this issue and will keep it is an important part of its national agenda of action.

In view of the above-stated facts, I would like my hon. friend, Mr. Viren J. Shah, to withdraw his Resolution.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Mr. Viren J. Shah, the Mover of the Resolution. (*Interruptions*)

SHRI VIREN J. Shah (Maharashtra): I have a right to reply, Mr. Vice-Chairman.

I had been privy to many Resolutions in this House. This is one Resolution which has been supported by every Member who spoke in the House. It has been supported by the hon. Minister also in every way. If it is so, I fail to see any reason why it should be withdrawn. What does the Resolution ask for? I will come to that in a minute or two.

Mr. Vice-Chairman, Sir, this is a matter of grave importance. The hon. Minister has said that fifty per cent of the population is women. (*Interruptions*). There are historical and other reports that we read in the newspapers about the every-day conditions of women not only in India but in the other parts of the world also. But let us talk here specifically about India. What do we hear? The Minister has said that the Government is not passive in improving the law; the Government of India maintains close liaison with the State Government. Before that, he has said that police and public order are with the State Governments. And about women being unaware of their rights, about their ignorance of law, because this has to be related to my Resolution. It specifically leads to that. Then, the Minister talked about the National Commission for Women and the functioning of the Family Courts. Actually, the functioning of the Family Courts has been extremely poor. But the whole tenor of the Minister's speech was that the Government of India is alive to this; it has set up several cells, made laws and that is all. But, what are the results? Let me read out three or four instances that happened after this Resolution was moved in this House in May last year and after the speeches were made by several Members, each one supporting the Resolution, each one condemning the atrocities on women and yet, unfortunately, we have a problem with the media because the media would not like to report a serious matter like this. (*Interruptions*) A serious matter like this, that is, the atrocities women, was debated by Parliament

[Shri Viren J. Shah Contd]

once, twice and thrice and as you said, a normal procedure was set aside but an unusual procedure was followed. (*Interruptions*) Mr. Narayanasamy, are you going to interrupt every time in this House?

SHRI V. NARAYANASAMY (Pondicherry): I am supporting you. (*Interruptions*) Several Bills were passed. What are you talking? If you don't want my support, it is all right.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Mr. Narayanasamy, if you want to speak, then you go to your seat and speak.

SHRI VIREN J. SHAH: Sir, the matter of such a grave importance does not get reflected and the people do not know that Members of Parliament are seized of such vitally important matter because it is something over which we have no control, that is, the media would not report. If there is a dispute between one political leader and another, it is reported. If an atrocity committed on women is reported, it is very good. But after the Resolution was introduced and debated several times in Parliament, what happened? I am going to cite four examples. This is the newspaper report of 4th January 1995. It states: "The CBI confirms rape in Muzaffarnagar" I have got a copy of the day before yesterday's 'Mid Day' from Bombay with me with the front page story—Seven year old.. (*Interruptions*) May I request the Deputy Minister to listen to what I say? You should not laugh at such a thing. This is a matter that concerns your department which has failed in dealing with the National Commission for Women. I am going to come to that point a little later.

It is reported there and I quote: "Seven year old girl was raped by a clerk in a school in North Bombay." Now, here, in the city of Delhi, Mr. Minister, where the police is under the Government of India, through the Lt. Governor, what is happening? In 'The Times of India' dated 6th March, 1995, it has been reported and I quote: "A two-year old girl was raped was taken in a bleeding condition to the police station, the SHO of Nangloi Police Station refused to take the action. She was taken to the hospital where she died. The Police Commissioner just transferred the inspector and no other action was taken." Now, these are the things happening day in and day out despite what the hon. Minister has said about the concern of the Government. He spoke about the National Commission for Women. The National Commission for Women has remained toothless from the day it was formed. The Department of Women in the Human Resource Development Ministry did not give it powers that it should have given and it expired on January 31st. One of the most important members of the body was Mrs. Subhashini Ali. She was the most active member. But she had to resign and she had given two suggestions. Firstly, she suggested that the Law Commission should frame laws in such cases where the onus should be on the guilty to prove his innocence and secondly, an enquiry should be held against police not by policemen but by some other agency. I am not going to take much time. What does the Resolution say? Why should it be withdrawn? The Resolution urges upon the Government to take immediate steps to revamp the police and legal machinery to ensure that our laws are respected and also specific suggestions are made to make women aware of their rights. My submission is that the National

3.00 PM Commission on Women has given its Reports. The Law Commission Reports are lying with the Government of India and which as the hon. Minister has said, they are aware of and alive to. Take

action on those reports. This is not a political Resolution. This is a Resolution not against the Government. This is a Resolution which everyone has supported, including the Minister, and, Mr. Vice-Chairman, I moved it and I stand by it.

THE VICE-CHAIRMAN (SHRI MD. SALIM): So, you are not withdrawing the Resolution.

SOME HON. MEMBERS: No, no, no.... (*Interruptions*)... It does not even criticise the Government. (*Interruptions*)...

SHRIMATI SARALA MAHESHWARI: Sir, may I put some questions?

SOME HON. MEMBERS: Sir, please put it to vote.
...(*Interruptions*)...

श्री नारायण प्रसाद गुप्ता : (मध्य प्रदेश) यह प्रस्ताव जब इतना अच्छा है तो मंत्री महोदय, क्यों इसका विरोध कर रहे हैं, यह समझ में नहीं आता ।

THE VICE-CHAIRMAN (SHRI MD. SALIM): He has listened to his request... (*Interruptions*)...

SOME HON. MEMBERS: We want nothing more ... (*Interruptions*)...

SHRI VIREN J. SHAH: There is nothing more.

SHRI V. NARAYANASAMY: Sir, I rise to speak.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Please be brief and do not repeat any point.

SHRI V. NARAYANASAMY: Sir, I am only making a point. I will not go in to the details.
...(*Interruptions*)...

THE VICE-CHAIRMAN (SHRI MD. SALIM): Please sit down. Mr. Pachouri, please sit down.

SHRI V. NARAYANASAMY: Sir, in this House... (*Interruptions*)...

SHRIMATI BASAVA RAJESHWARI Mr. Chairman, if he wants any further information about the development... (*Interruptions*)... of women,....

SHRI V. NARAYANASAMY: She can speak something on that.

SHRI VIREN J. SHAH: Not now.
...(*Interruptions*)...

श्री सुरेश पचौरी : (मध्य प्रदेश) उपाध्यक्ष जी, जब माननीया मंत्री जी इन लोक कल्याणकारी कार्यक्रमों का ब्योरा देने के लिए तैयार हैं, तो माननीय सदस्य को सुनना चाहिए और फिर वोटिंग का मन बनाना चाहिए ।...(व्यवधान)

SHRI VIREN J. SHAH: Sir, what is this? I am not interested in listening to the Minister again...(*Interruptions*)... Let me put it on record.

...(*Interruptions*)...

THE VICE-CHAIRMAN (SHRI MD. SALIM): You listen to me also..... (*Interruptions*)... Mr. Pachouri, please sit down ...(*Interruptions*)... Madam, Minister wants to say some thing ...(*Interruptions*)... I want to say something... (*Interruptions*)... I am disposing of it. This Resolution was taken up in May, 1994. For almost one year we had discussed it and then the Minister had given a reply and today we have already decided that we are not going to have a further discussion and the Minister would speak and then the mover of the Motion would reply. He has the right, he has the privilege, and he replied. Now, he is pressing for his Resolution. At this juncture, there is no possibility of...(*Interruptions*)

श्री सुरेश पचौरी: उपसभाध्यक्ष जी, मैं आपके माध्यम से यह विनम्र आग्रह कर रहा था कि महिलाओं से संबंधित बहुत सारे कार्यक्रम जो अन्य मंत्रियों से भी संबंधित हैं और माननीय मंत्री जी ने उनके मंत्रालय से संबंधित जानकारी प्रस्तुत की है । लेकिन इसके अतिरिक्त और भी मंत्रालय हैं जिनके संबंध में जानकारी माननीय मंत्री जी जो खड़ी हुई थीं, वह दे रही हैं, दूसरे और मंत्रालय से संबंधित जानकारी दे रही रहे हैं । . . . **(व्यवधान)**

श्री सुन्दर सिंह भण्डारी : (राजस्थान) उपसभाध्यक्ष जी, यह कौन से नियम की बात कर रहे हैं । क्या एक-एक करके सभी मंत्री महिलाओं के बारे में बोलने के लिए आएंगे ।

And the reply has been made.

उपसभाध्यक्ष (श्री मोहम्मद सलीम) : सुरेश पंचौरी जी, आपने जो सवाल यहां उठाया, बहुत से सवाल रिजोल्यूशन, संकल्प हम लोग यहां प्रस्तुत करते है । बहुत से मंत्रालयों के साथ संबंध रहता है । लेकिन जब मंत्री जी जवाब देते हैं, सरकार के पक्ष में जवाब देना है और तमाम मामले को मद्देनजर रखते हुए वह जवाब देते हैं. . . . . **(व्यवधान)**

श्री सुरेश पचौरी : यदि कोई और उसकी जानकारी मंत्री जी देना चाहते हैं तो उनको नहीं रोका जाना चाहिए । **उपसभाध्यक्ष** जी, मेरा आपसे यही आग्रह है ।

उपसभाध्यक्ष (श्री मोहम्मद सलीम): आप तो वरिष्ठ सदस्य हैं, आपको मालूम होना चाहिए । जब मूवर अपना रिप्लाई दे चुके हैं

Now I cannot open the issue for further discussion.

SHRI P. M. SAYEED: Sir, the mover of the Resolution while replying... (*Interruptions*)... I have replied to all the points that he has raised in his Resolution and there is no particular purpose which is going to be served by not withdrawing the Resolution. (*Interruptions*)

I do not think. . . . .

उपसभाध्यक्ष (श्री मोहम्मद सलीम) : आ लैरेडी विड्रो कर चुके हैं ।

SHRI V. NARAYANASAMY: Sir, I rise to make a point.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Any new points? You have taken part in the discussion.

SHRI V. NARAYANASAMY: I am not going to discuss other aspects of it.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Please be brief. Make a point only.

SHRI V. NARAYANASAMY: I am making points but they should have patience. Therefore. I am asking. . . . .

THE VICE-CHAIRMAN (SHRI MD. SALIM): Have you anything to mention?

SHRI V. NARAYANASAMY: Yes, I have to mention something. Sir, several Resolutions, especially Private Members' Resolutions, have been moved in this House. I am stating my point of view. It is for them to accept it or not. As far as this Resolution is concerned, the hon. Minister has clarified the position and he has elaborately stated what the Government is doing. Normally, when a Private Member's ...(*Interruptions*) ... Sir, kindly have a little patience. (*Interruptions*)... Kindly have a little patience, Sir.

THE VICE-CHAIRMAN (SHRI MD. SALIM): I have allowed you. But you are not making the point.

SHRI V. NARAYANASAMY: But by reacting I could not see any good reaction. (*Interruptions*)...

THE VICE-CHAIRMAN (SHRI MD. SALIM): Naturally. You are trying to make a full-fledged, full steam speack. You make your point. . . (*Interruptions*)...

SHRI V. NARAYANASAMY: Why should I make a speech, Sir? (*Interruptions*)

श्री महेश्वर सिंह : स्वामी जी, सीधा कहिए ना कि टाइम खींचना है आपको।

SHRI V. NARAYANASAMY: The Chair has permitted me. Sir, it is the prerogative of a Member either to withdraw the Resolution or to press for the Resolution. I quite agree with that. But, Sir, the convention of this House is that, in 90 per cent to 95 per cent of the cases I can go even to the extent of saying 99 per cent because we go by convention in this House—when an hon. Minister states that the Government would consider the suggestions made by the Members and requests the hon. Member ... (*Interruptions*)

THE VICE-CHAIRMAN (SHRI MD. SALIM): We have other Resolutions to take up. There is one important Resolution on Lokpal. There are Members who are interested in it and they are sitting here. You please be brief. I am not allowing you to make a speech.

SHRI V. NARAYANASAMY: I am not making a speech.

THE VICE-CHAIRMAN (SHRI MD. SALIM): What do you want to say? You are requesting him to withdraw it. (*Interruptions*)... You are requesting he Member to withdraw it. ...(*Interruptions*).

AN HON. MEMBER: Mr. Narayanasamy, what are you putting forth? ...(*Interruptions*)...

SHRI V. NARAYANASAMY: Sir, I have not concluded. (Interruptions) ... I am making a plea and I am alking about the convention of the House. (*Interruptions*)...

THE VICE-CHAIRMAN (SHRI MD. SALIM): I think Mr. Viren J. Shah knows the convention. (*Interruptions*)...

SHRI JAGDISH PRASAD MATHUR: There is no such convention. (*Interruptions*)...

AN HON. MEMBER: You are only filibustering. (*Interruptions*)...

SHRI V. NARAYANASAMY: I don't know. You are coming to a conclusion before I conclude. ...(*Interruptions*)...

SHRI JAGDISH PRASAD MATHUR (Uttar Pradesh): A Resolution moved by Mr. Advani was adopted in the other House. There is no such convention in both the House.. (*Interruptions*)...

SHRI V. NARAYANASAMY: I have only said that 99 per cent cast, not 100 per cent. Kindly have a little patience to hear me.

THE VICE-CHAIRMAN (SHRI MD. SALIM):): Why don't you make your point?

SHRI V. NARAYANASAMY: You are not allowing me. Then, how can I speak? (Interruptions)

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF WOMEN AND CHILD DEVELOPMENT) (SHRIMATI BASAVA RAJESHWARI): Sir, some of the points have been left out. If you permit me, I will make those points so that the Member can withdraw the Resolution. (*Interruptions*)...

THE VICE-CHAIRMAN (SHRI MD. SALIM): Since the Minister has already replied. ..(*Interruptions*)..

SHRIMATI BASAVA RAJESHWARI: I agree with you, Sir. But some points regarding welfare measures are left out. (*Interruptions*)... As far as development and rehabilitation measures are concerned, there are some point. Sir. (*Interruptions*).

THE VICE-CHAIRMAN (SHRI MD. SALIM): Unless the Members are interested to listen to you. (*Interruptions*)...

SHRI SUNDER SINGH BHANDARI: Under what rule is she permitted, if at all? *(Interruptions)*...

THE VICE-CHAIRMAN (SHRI MD. SALIM): I am not permitting her. *(Interruptions)*... I am trying to convince her. I am just telling her that it was discussed and the Minister has given his reply covering all the points. Mr. Viren J. Shah did not made any new points. Did you make any new points? *(Interruptions)*...

SHRI SUNDER SINGH BHANDARI: Nothing new.
(Interruptions)...

SHRI V. NARAYANASAMY: Sir, I have not concluded. Before I conclude you are going in for voting, Sir. *(Interruptions)*...

SHRI JAGESH DESAI: Sir, I want to make a point.
(Interruptions)...

THE VICE-CHAIRMAN (SHRI MD. SALIM): I am not allowing all the Members (Interruptions) ... If you have any objection, you can raise it. Mr. Narayanasamy, you please be brief. *(Interruptions)*... You briefly make your point.
(Interruptions)...

SHRI V. NARAYANASAMY: I am briefly making a point.

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT DIRECTOR OF EUDCATION AND DEPARTMENT OF CULTURE) (KUMARI SELJA): Sir, the Minister can give reply on all important issues relating to her Department. *(Interruptions)*...

SHRIMATI BASAVA RAJESHWARI: What we are doing in our Department is that whenever there are atrocities, rapes or such things. ...*(Interruptions)*...

SHRI SUNDER SINGH BHANDARI Only the Minister in charge of the Ministry can reply. *(Interruptions)*...

THE VICE-CHAIRMAN (SHRI MD. SALIM): The Minister has given the reply.

KUMARI SELJA: No, he has not replied.
(Interruptions)...

THE VICE-CHAIRMAN (SHRI MD. SALIM): After the mover of the Resolution has replied, I cannot permit you at this stage. There is no such rule.
...*(Interruptions)*...

SHRIMATI BASAVA RAJESHWARI: Regarding development and rehabilitation, he has made certain point. *(Interruptions)*... Regarding Shrimati Subhashini Ali's resignation he has raised something which I want to clarify.
...*(Interruptions)*...

उपसभाध्यक्ष (श्री मोहम्मद सलीम) : सुन लीजिए आप । (व्यवधान) मंत्री जी इसी बारे में बोलना चाहती हैं।

SHRI P. UPENDRA: If there is any additional point, let her say.
(Interruptions)...

THE VICE-CHAIRMAN (SHRI MD. SALIM): I am not following anything.
(Interruptions)...

SHRI V. NARAYANASAMY: She is also a Minister. If she wants to make.
(Interruptions)...

THE VICE-CHAIRMAN (SHRI MD. SALIM): Mr. Mathur.
(Interruptions)...

SHRI V. NARAYANASAMY: Sir,
(Interruptions)...

THE VICE-CHAIRMAN (SHRI MD. SALIM): I have identified Mr. Mathur. (*interruptions*). Please sit down. Mr. Mathur has raised a point of order.

SHRI V. NARAYANASAMY: Sir, I have not concluded.

THE VICE-CHAIRMAN (SHRI MD. SALIM): He is on a point of order.

SHRI V. NARAYANASAMY: Then I may be permitted later on.

श्री जगदीश प्रसाद माथुर : श्रीमन् इस सदन में और दुनिया के जितने लोकतांत्रिक सदन हैं, उनमें यह परम्परा रही है कि एक बार बहस समाप्त हो जाए, उसके बाद कोई चर्चा नहीं हो सकती और यदि वोटिंग मांगा जाए तो वोटिंग करनी चाहिए । इसलिए अन्य किसी सदस्य का इधर या उधर से बोलने का कोई कारण नहीं है । मेरा आपसे निवेदन है कि आप सीधे-सीधे मतदान के आदेश दें ।

कुमारी शैलजा : सर, हम इस बात को मानते हैं लेकिन अभी आनरेबल मैंबर ने वूमैन कमीशन के बारे में जिक्र किया है। . . . (**व्यवधान**) .

SHRI JAGDISH PRASAD MATHUR: They are wasting the time of the House.

THE VICE-CHAIRMAN (SHRI MD. SALIM): I cannot reopen the matter.

KUMARI SELJA: Sir, she is not reopening the matter. (*Interruptions*) She is not reopening the matter. She wants to make a submission.

THE VICE-CHAIRMAN (SHRI MD. SALIM): I cannot hear both the sides. . . .(*Interruptions*)... at the same time.

श्री जगदीश प्रसाद माथुर : बोथ दी साइड्स कुछ नहीं है । समाप्त हो गया । आपकी बहस खत्म हो गयी, इसके अलावा कुछ नहीं हो सकता । . . . (**व्यवधान**) . .

उपसभाध्यक्ष (श्री मोहम्मद सलीम) : माथुर जी, मेरा रूलिंग भी यही था। आई एम नॉट रीओपनिंग । (**व्यवधान**) क्या बोलेंगे कोहली जी आप ? माथुर जी तो बोल ही चुके है।

कुमारी शैलजा : सर, चर्चा की बात नहीं है। हमारी सिर्फ एक अर्ज है, आप सुन लीजिए। मैंबर महोदय ने अपनी स्पीच में वूमैन कमीशन के बारे में कहा है, उसकी टर्म ऐक्सपायर हो गयी है। उन्होंने कई बातें कही हैं। The Minister is right here with us. उन्होंने कुछ और भी बातें कही हैं। The whole House, especially the women are interested in knowing the latest about the National Commission for Wowen.

उपसभाध्यक्ष (श्री मोहम्मद सलीम) : नहीं, उनकी इन्फारमेशन कहीं कुछ गलत है और उसे सही करना चाहती हैं तो बात अलग है पर मैं स्पीच नहीं करने दूंगा । डिस्कशन और नहीं करने दूंगा ।

कुमारी शैलजा : सर वही तो मैं बताना चाहती हूं, जब तक सुनेंगे नहीं . . . (**व्यवधान**

श्री मोहम्मद सलीम : सर, अगर सत्ताधारी दल के सदस्य जानकारी चाहते हैं तो वह उपस्थित होते ।

SHRI JAGESH DESAI (Maharashtra): Sir, I have also raised my hand Please allow me to make my point.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Mr. Upendra wants to say something.

SHRI P. UPENDRA (Andhra Pradesh): Sir, Mr. Viren J. Shah has raised a number of issues relating to women which are of paramount importance and the Minister's reply is not very satisfactory. What I suggest is, the Minister should give some

[Shri P. Ppendrt—contd.]

assurance and some time-bound programme to the House. He should say that within two or three months he would bring forward some legislation, or would inform the House about whatever steps the Government takes. Let him give a clear assurance so that we can request the hon. Minber to withdraw it. I make another request to the Minister. My request to the hon. Minister is, he should say that he would take immediate steps on the points which Shri Viren J. Shah has made. They are all very important. He can give an assurance that within...(*Interruptions*).

SHRIMATI BASAVA RAJESHWARI: Sir, that is exactly what I want to say.

THE VICE-CHAIRMAN (SHRI MD SALIM): Are you giving some time-bound assurance?

SHRIMATI BASAVA RAJESHWARI: Sir, what I want to say is that some of the points have been left out. He has mentioned about the... (*Interruptions*).

SHRI P. UPENDRA: whatever consultation you had with the State Government...(*Interruptions*).

श्री जगदीश प्रसाद माथुर : सर, मेरे प्वाइंट आफ आर्डर पर मैं आपकी रूलिंग चाहता हूं ।

Sir, I want your ruling on my point of order. Nothing can be done after the debate is over except voting. I want your ruling on my point of order.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Mr. Mathur, please sit down.

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRIMATI MARGARET ALVA): Sir, I am not challenging the procedure. All I am saying is that, I have also been handling this Ministry for five years. We do realise that while the Ministry of Home Affairs has the responsibility as far as crimes against women are concerned most of the work relating to the problems of women and atrocities on women and other things are dealt with by the Department of Women in the Ministry of Human Resource Development. We have asked the Minister of Department of Women and Child Development to be present here so that whatever comprehensive assurances are given can be...(*Interruptions*)... fulfilled.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Let her complete.

SHRIMATI MARGARET ALVA: Mr. Vice-Chairman, Sir, I know that Mr. Viren J. Shah is as concerned as all of us are about the atrocities on women and the problems faced by women. Let the BJP not think that those of us who are on this side of the House are not concerned about it. Sir, we are concerned and with all other women I also share this concern. I am only appealing...(*Interruptions*)... There are provisions in all the laws for all of them. You have asked for a time-bound assurance that this will be completed within six months. All this has to be done essentially by the State Governments. It is not the Central Government which implements this legislation as far as the actual procedures are concerned. Even in the case of family courts, only 11 States have established them and others have not ...(*Interruptions*)...

SHRI VIREN J. SHAH: May I seek an explanataion from the hon. Minister? ...(*Interruptions*)... If you carefully read the resolution, you will find that it is not asking the Government of India to do something today and get results. If you read it, you will find that it only en-

ables the Government to move in that direction. The hon. Minister himself has said this in his speech more effectively. Specific suggestions were made so as to ensure that these happen. This is going on for the last 10 years. The Commission's report is lying there for the last 10 years ... (*Interruptions*)... I have been a Member of this House, since 1975 and earlier to that I was in Lok Sabha. In a democratic parliamentary set up, Private Members' Resolutions and Private Members' Bill play a very important role. They are not withdrawn in the UK and other places. Here also, we have passed them. This is not in any way a condemnation of the Government. What does the Government lose? This only strengthens its hands. It will help the womens' organisations. Today, there was a report that when a Punjab and Haryana High Court judge visited a place in Haryana, he found that a Scheduled Tribe women was kept in police custody for 15 days and was raped by the Station House Officer and others. No one would record her complaint. This happened a fortnight ago. Hence, what we are trying to do is to strengthen the hands of the Government of India and also that of the State Governments so that desired changes could be brought about quickly. That is all.

SHRIMATI MARGARET ALVA: I am in agreement with what Mr. Viren J. Shah has said... (*Interruptions*).. We have absolutely no opposition to what you are saying in the contents of this. Mr. Shah, you have said two things here. "Every case has to be decided within a period of six months." Now, it is impossible to say that every case must be decided within six months. The second thing that you say is that judges . (*Interruptions*) ..

SHRI VIREN J. SHAH: I have said, "revamp the police and the legal machinery..." . .(*Interruptions*).

SHRIMATI MARGARET ALVA: Please listen... (*Interruptions*)... I just wanted to clarify that we are not against any machinery that will help women and protect their rights and naturally, we are all committed even more than Mr. Viren J. Shah to that cause. Let him not have any doubts about this. All I am saying is that a couple of suggestions which are contained in this Resolution which you want to pass and that are not possible. You have said, "most of the cases are decided locally so that people especially women..." Now, local decision is what? You have a legal procedure. You have to go through the legal process and there is the court of appeal. You cannot say that every case must be decided locally. Secondly, you said, "every case is decided within a period of six months..." Is this possible for any Government or any court?... (*Interruptions*)... Is it possible... (*Interruptions*)..

श्री संघ प्रिय गौतम : उपसभाध्यक्ष महोदय, हम मतदान चाहते हैं इस पर । (व्यवधान) हम चाहे हारें या जीतें हम मतदान चाहते हैं । (व्यवधान)

THE VICE-CHAIRMAN (SHRI MD. SALIM): I am putting it to vote ... (*Interruptions*)... The Minister to State for Parliamentary Affairs had ample time to deal with the matter ...(*Interruptions*)... Mr Upendra. made a request to the Minister that if there is any time-bound assurance (*Interruptions*)

SHRIMATI BASAVA RAJESHWARI: Sir, what I would like to say is this, The hon. Member has mentioned about the National Commission for Women. He said that it was toothless. It is functioning very well. In fact, 692 cases have been dealt with by this Commission... (*Interruptions*)

THE VICE-CHAIRMAN (SHRI MD SALIM): The Minister is saying something. Allow her to speak.

SHRIMATI BASAVA RAJESHWARI: It is not toothless.. (*Interruptions*) Then there was reference to a Member of the Commission. She did not attend the feeling ..(*Interruptions*) She has resigned from the Commission. Regarding reconstruction of the National Commission for Women, the Government is already aware of it. We are looking into it. Regarding the other aspect ...(*Interruptions*) Sir, please allow me to mention about the rehabilitation and developmental works which we have taken up in the Department. Whatever suggestions have come from the hon. Member, I think, they are not something political. Everybody is concerned about the welfare of women. We are all concerned about the atrocities being committed against women and the raping of young girls. We have done whatever was to be done. If any further suggestions come from the other side of the House, we will take those things into consideration. Therefore, I request the hon. Member to withdraw his Resolution on my assurance. (*Interruptions*)

THE VICE-CHAIRMAN (SHRI MD. SALIM): I allowed the Minister . (*Interruptions*)

SHRI V. NARAYANASAMY: Sir. I am on a point of order...

THE VICE-CHAIRMAN (SHRI MD. SALIM): Under what rule? (*Interruptions*) You quite the rule.

SHRI V. NARAYANASAMY: Yes, I will quite the rule and speak (*Interruptions*)

SHRI JAGESH DESAI: Sir, in the interests of this House, I would like to say something ... (*Interruptions*) Sir, will you allow me? (*Interruptions*).

THE VICE-CHAIRMAN (SHRI MD. SALIM): What do you want to say? Are you on a point of order?

SHRI JAGESH DESAI: I will speak pointedly. Sir, I have gone through the Resolution. I only appeal to Mr. Viren J. Shah to withdraw it for two reasons... (*Interruptions*) Kindly listen to me. ... (*Interuuptions*) I don't want this House to become I a laughing stock in the eyes of the people of this country. don't want that to happen. If you agree with me, please withdraw it. Otherwise, you may do whatever you want. I have no objection to it. But please listen to me... (*Interruptions*)

श्री महेश्वर सिंह : सर, अभी कितने मंत्री बोलेंगे ?

उपसभाध्यक्ष (श्री मोहम्मद सलीम) : मंत्री बोल चुके हैं।

SHRI JAGESH DESAI: Sir, let me also be heard. What the hon. Member has suggested cannot be done by the Central Government because it is the duty of the concerned State Governments. Who can do the revamping of he police force? (Interruptions)

SHRI VIREN J. SHAH: I am asking the Central Government to do it through the State Governments.

SHRI JAGESH DESAI: The best course is, let he Central Government call a meeting of the Home Ministers of all the States and discuss with them.. . (*Interruptions*)

SHRI VIREN J. SHAH: That is a process following adoption of this Resolution... A(*Interruptions*)

SHRI JAGESH DESAI: We do condemn such incidents. But the Central Government cannot revamp the police machinery ..(*Interruptions*) ... Kindly listen to me. Let us not pass it now. The spirit is very much time We are all concerned about the welfare of women. We are the Council

of States... (*Interruptions*) We represent the States. I appeal to the hon. Members ...(*Interruptions*)

SHRI VIREN J. SHAH: I have heard your appeal. Is there anything more? (*Interruptions*)

SHRIMATI MARGARET ALVA: Sir, can I make a request to Mr. Viren J. Shah? We are also totally comitted to what has been said in this Resolution. I have an objection to only two procedural matters which are mentioned in this Resolution. Under the existing legal system, it is not possible for a Government to agree to two things. One clause reads: "Every case shall be decided locally." But matters relating to atrocities or divorce or anything else cannot be decided locally. The accused go and appeal one way or the other. It is against the legal process that... (*Interruptions*) Just a minute. The second thing is, I don't think that it is possible for us to agree that every matter should be judicially settled within a period of six months. It is very difficult to agree to this because knowing the legal processes, it is impossible to say that every dispute affecting women wild be settled in six months' time. If these two clauses are amended, then I think that all of us here are ready to pass the Resolution. We agree to the rest of it.

SHRI VIREN J. SHAH: I will respond. If the House desire and permits me, I can amend this and say that every case, as far as possible, should be decided within a period of six months ... (*Interruptions*) It can also read as: "Attemps should be made to see to it that every case is decided within a period of six months." So, this does not mean that it is binding

SHRIMATI MARGARET ALVA: So, you can say, 'as far as possibde', I don't mind, that. But it is not possible for every case to be settled within this time-frame... (*Interruptions*)

THE VICE-CHAIRMAN (SHRI MD. SALIM) just a minute please Allow Mr. Viren J. Shah

SHRIMATI MARGARET ALVA: Mr. Vice-Chairman, my second objection is to the provision which says that every matter should only be settled locally. It means, the affected woman cannot go to a court of law. You are denying the woman from going to a court of law for redressal. How con one say that every dispute should only be settled locally?... (*Interruptions*) ...

SHRI VIREN J. SHAH: Mr. Vice-Chairman, these assurance of the Minister is not bound by any time-limit. This is not in six months.

Mr. Vice-Chairman, I think we are rather re-starting the debate. I feel we have reached a stage where the question of moving amendments does not arise. That stage is over. You were to take a vote on the Resolution forty minutes ago. It has not happened on any motion or on any matter, whether it is of the Government or the Opposition, that after the Mover's speech is over, the Chair has taken forty minutes in putting it to vote. We have opposed many times when the Treasury Benches... (*Interruptions*) ...

THE VICE-CHAIRMAN (SHRI MD. SALIM): Don't involve the Chair. You have also asked certain questions. I have given opportunity to everybody.
(*Interruptions*) ...

SHRI VIREN J. SHAH: Sir, I am open to reason. That is why I was listening to everybody because this matter is such a serious issue which concerns everybody. This has no political overtones. It concerns every one of us tremendously. What can be done in a situation where a Scheduled Tribes woman is kept in a police station for 14 days and raped repeatedly? Nothing can be done. That is

why I was listening to all of them. But I am of the firm opinion that I should not withdraw my Resolution and it should be put to vote.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Mr. Viren J. Shah, it concerns every one of us, not only you. But the Chair is helpless. Everybody wants to say ... (*Interruptions*)...

SHRI JAGESH DESAI: Sir, it will impinge upon the rights of the State Governments. (*Interruptions*) ....

SHRI P. M. SAYEED: Mr. Vice-Chairman, I would like to submit... (*Interruptions*)...

SHRI V. NARAYANASAMY: Mr. Vice-Chairman, I am on a point of order... (*Interruptions*)...

THE VICE-CHAIRMAN (SHRI MD. SALIM): Mr. Sayeed wants to see say something. Mr. Minister, please proceed.

SHRI P. M. SAYEED: Mr. Vice-Chairman, Mr. Upendra is a veteran Member. He has suggested to you. (*Interruptions*)...

THE VICE-CHAIRMAN (SHRI MD. SALIM): The Minister of State for Parliamentary Affairs has made the point that clauses (e) and (f) cannot be accepted right now because of certain legal lacunae. In the light of the suggestion made by Mr. Upendra, I would like to know whether you are agreeable to the rest of the Resoluton excludng those two clauses.

SHRI P. M. SAYEED: Mr. Vice-Chairman, Mr. Viren J. Shah and myselfy-you may not be aware-belong to the 1967 batch of Parliamentarians. He was elected to Lok Sabha in 1967 and I was also electtd to Lok Sabha in 1967.

(*Interruptions*)..

THE VICE-CHAIRMAN (SHRI MD. SALIM): Now you talk of 1995.

SHRI P. UPENDRA: Mr. Vice-Chairman, I am on a point of order.

THE VICE-CHAIRMAN (SHRI MD. SALIM): I will not allow you if you start from 1967.

SHRI P. M. SAYEED: I am not starting from 1967. I am starting from today. What I am saying is that this Resolution was discussed for one full year. When Mr. Viren J. Shah was in Bombay, he was not... (*Interruptions*)... But we, on this side, have accommodated him to movt his Resolution.

...(Interruptions)..

No, I want to go on record. I want to go on record. We, on this side; have accommodated rim generously. But this House follows some conventions. He wants to go all out out of the way, even by violation of the conventions. In both letter and spirit, I agree with his Resolution. I have said this at the very beginning. But there are some matters which are not acceptable to us. Shrimati Alva has mentioned, for example, about the provision relating to the maximum period of dispute settlement. So many other matters are also there. On this issue, I have given all the details I have informed the House of whatever action we have taken. We are going to do much more on the lines of what Mr. Upendra, my esteemed friend has suggestfd. I can assure you that if this is a Reslution free from legal lacunae and is acceptable to the entire House, we don't have any objection. If it is accepted unanimously, we don't have any objection. But I don't want to create a new precedent. I don't want this House to create a new precedent. I assure Mr. Shah, if he agrees, that I will write to the Home Ministers of al the States and convene a meeting. We will try to find out whether the contents of Mr. Shah's Resolution are acceptable to them and bring forward if necessary, a suitable legislation.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Mr. Viren J. Shah, perhaps you have not listened to the Minister The Minister is saying that that if the legal lacuna in this Resolution is removed, he is prepared for its acceptance. That assurance he is giving and then there can be a unanimity. Are you prepared for that in the light of his assurance?

SHRI VIREN J. SHAH: There was so much noise going on that I have not followed him. Will you please ask him to repeat what he said? Also because of this legal lacuna, what does he want me to do and what does he propose to do?

THE VICE-CHAIRMAN (SHRI MD. SALIM): His contention is that for the last one year we discussed it, we did not allow this to lapse because we wanted that all the Members should throw light on this from different angles. Now, since there was unanimity on this from the very beginning, if this legal lacuna is removed, he is prepared for passing it. That is what I am trying to ask you, if in the light of this fresh assurance that the Government is prepared to bring a Bill after removing this lacuna... (*Interruptions*)...

SHRI P. M. SAYEED: Sir, what I said was, if the Home Ministers of all the States and Union Territories agree, then we will consider to what extent it is possible and then we can... (*Interruptions*).

THE VICE-CHAIRMAN (SHRI MD. SALIM): And if the unanimity is there, then they can bring it.

SHRI P. M. SAYEED: Yes.

SHRI P. UPENDRA: And, let him give a time-frame.

THE VICE-CHAIRMAN (SHRI MD. SALIM): And, his question is, within what time-frame?

SHRIMATI MARGARET ALVA: Within six months.

THE VICE-CHAIRMAN (SHRI MD. SALIM): You say, Mr. Minister. (*Interruptions*). You rephrase the assurance for the benefit of he House. For the benefit of the House let him rephrase the assurance.

SHRI P. M. SAYEED: I think, if it is practically possible, within six or nine months, whatever it is... (*Interruptions*)

SHRI VIREN J. SHAH: Not nine months. (*Interruptions*)

THE VICE-CHAIRMAN (SHRI MD. SALIM): Let there be order.

SHRI P. UPENDRA: Why nine months?

SHRI P. M. SAYEED: Okay. You take it as six months, Sir. (*Interruptions*)

SHRI VIREN J. SHAH: I am the person who has ... (*Interruptions*)

SHRI JAGDISH PRASAD MATHUR: No. I do not accept... (*Interruptions*).

SHRI P. M. SAYEED: Mathurji, don't you believe me? Don't you have trust in me? (*Interruptions*)

THE VICE-CHAIRMAN (SHRI MD. SALIM): Mr. Viren J. Shah, please speak. (*Interruptions*)

I have identified Mr. Viren J. Shah Mathurji, please. (*Interruptions*).

SHRI VIREN J. SHAH: I have been asked as the mover of the resolution to either withdraw it or amend it and the basis for this is an assurance of some kind. I have had another resolution four years ago and one earlier to that where assurances were given relating to various issues on the Assam question. know the late of those assurances. Once we leave the House—I am saying this without any disrespect—action does not necessarily flow in time. It is six months or nine months, but one doesn't know how long the life of this Government could be. There are Bills which were prepared

(Shri Viren J. Shah—Contd.)

and which have been pending for more than two years, three years and four years with this Government on various issues. To accept that they will be in a position to bring a Bill in six months to satisfy all this, is something that is not possible for me to accept.

I would suggest that you may move an amendment which I may accept, if it is workable, that as far as possible attempts may be made for every case to be decided within six months. About the local languages also, an attempt should be made to ensure that in the sense that it will be ensured through the State Government machinery; you are not necessarily held responsible for States; you have to go through. (*Interruptions*).

Madam (*Interruptions*). Madam (*Interruptions*). I have sair State Governments. Why go into it? Do you want to delay this? All right, I am asking for a vote.

THE VICE-CHAIRMAN (SHRI MD. SALIM): I shall now put the resolution to vote. The question is put.... (*Interruptions*)..

SHRI V. NARAYANSAMY: No, I am on a point of order. (*Interruptions*)

THE VICE-CHAIRMAN (SHRI MD. SALIM): No. No. Enough time has given to you.

SHRI V. NARAYANASAMY: I am on a point of order. This is not fair. .. (*Interruptions*)..

THE VICE-CHAIRMAN (SHRI MD. SALIM): The question is:

"This House express its deep concern over the—

(i) increasing incidents of rape molestation, abduction, kidnapping and atrocities being committed on women in various parts of the country and even in the police custody;

(ii) illegal detention and torture by the police which has become a way of life;

(iii) failure of Government machinery, coupled with judicial delays to protect the life, honour, self-respect and dignity of women in the country; and

with a view to improving the status of women, safeguarding their honour and dignity in the country, this House urges upon Government to take immediate steps to revamp the police and legal machinery to ensure that—

(a) our laws respect the principle of equality;

(b) our laws are written in the local languages of the people;

(c) they assume the responsibility for informing the citizens of their basic rights;

(d) our laws are made sensative to the specificities of the local situation;

(e) most of the cases are decided locally so that people, especially women are save from expensive commuting to seek redressal;

(f) every case is decided with a period of six months because justice delayed is justice denied;

(g) judges become intimately familiar with local customs and usages;

(h) police administration is reoriented and reorganised so that the police help the victims of atrocities and do not continue to be perpetrators;

(i) the persons involved and the police officials found guilty are given exemplary punishment;

(j) victims of atrocities and torture, etc. at the hands of police and other are adequately compensated; and

(k) women organisations and women Members of Legislatures are closely associated in making and implementing the laws relating to women".

Those in favour will please say 'Aye'.

SOME HON. MEMBERS: 'Aye'.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Those against.... (*Interruptions*)...

SHRI V. NARAYANASAMY: No. No. This is not fair... (*Interruptions*)...

THE VICE-CHAIRMAN (SHRI MD. SALIM): Go to your seat. (*Interruptions*). Please, go to your seat. (*Interruptions*). you go to your seat. (*Interruptions*). In this manner, you cannot.. (*Interruption*). In this manner, you cannot... (*Interruptions*)... Mr. Narayanasamy, please go to your seat... (*Interruptions*)..

Mr. Narayanasamy, please take your seat... (*Interruptions*). This is not the way. You are a senior Member. You did not complete your point of order. (Interruptions)... Mr. Singh, please sit down. I have allowed twice. If you want to make a point of order, you can quote the rule.

SHRI V. NARAYANASAMY. Before I could complete, other people were related. What is this?

THE VICE-CHAIRMAN (SHRI MD. SALIM): You have taken enough time.

SHRI V. NARAYANASAMY: Sir, I raised a point of order. If my point of order is not in order, you can rule it out. But you cannot stop my right.

THE VICE-CHAIRMAN (SHRI MD. SALIM): You quote the relevant rule. You just complete your sentence that you started earlier. Your charge is that I did not allow you to complete the sentence. You complete the incomplete sentence.

SHRI V NARAYANASAMY: Sir, as far as the Resolution is concerned, it is provided under Rules 154 to 166. Sir, Rule 154 refers to the Private Members Resolutions. Sir, kindly read Rule 161. It says,

"No speech on a Resolution, except with the permission of the Chairman, shall exceed 15 minutes in duration."

... (*Interruptions*)...

Why are you laughing, Mr. Mathur? Kindly hear me. The Chair asked me to quote the rule; so I am quoting the rule.

"Provided that the mover of the resolution, when moving the same and the Minister concerned when speaking for the first time, may speak for thirty minutes or for such longer time as the Chairman may permit.'

Rule 162 says,

"The discussion of a resolution shall be strictly relevant to and within the scope of the resodution."

Rule 163(1) relates to withdrawal of a resolution.

... (*Interruptions*)...

THE VICE-CHAIRMAN (SHRI MD. SALIM): Mr. Narayanasamy, I nave asked you to quote the relevant rule so that you could make your point. I did not ask you to quote the entire Rule Book.

SHRI V. NARAYANASAMY: I am going to complete. Sir, the hon. Minister for Women and Child Development in the Ministry of Human Resource Development wanted to speak. Shri J. P. Mathur raised a point of order. He said that when the mover of the Resolution has spoken, then there is no right for anybody to speak. In Chapter XI, nothing has been mentioned to indicate that after the Mover of the Resolution completes his speech or after the Minister speaks, the other people are not entitled to speak. Nothing has been mentioned. Kindly read the rules and then give your ruling... (*Interruptions*)..

SHRI S. VIDUTHALAI VIRUMBI: Even after the Minister's speech can the debate continue?

THE VICE-CHAIRMAN (SHRI MD. SALIM): Mr. Narayanasamy, you have not made any fresh point. I have adready ruled, when Mr. Mathur made the point, that after the Mover of the Resolution has replied I have not allowed, I will not allow anybody. No rule permits me to reopen the issue. The rule is clear.

SHRI V. NARAYANASAMY. No, no. Where is the rule? Kindly tell me the rule, because there is no rule prohibiting a person from speaking, after the Mover of a Resolution has spoken. Where is the rule prohibiting the Minister or even any other Member from speaking? Kindly quote the rude.

THE VICE-CHAIRMAN (SHRI MD. SALIM): I have ruled out your contention. (*Interruptions*).

SHRI V. NARAYANASAMY: Kindly quote the rule.

THE VICE-CHAIRMAN (SHRI MD. SALIM): The question is put. Those in favour may please say "Aye".

SOME HON. MEMBERS: "Aye".

THE VICE-CHAIRMAN (SHRI MD. SALIM): Those against may please say "No".

SOME HON. MEMBERS: "No".

THE VICE-CHAIRMAN (SHRI MD. SALIM): I think, the "Ayes" have it, the "Ayes" have it, the "Ayes" have it.

SHRI V. NARAYANASAMY: The Noes" have it ...(*Interruptions*).

I say, the 'Noes" have it How can you say the "Ayes" have it?

THE VICE-CHAIRMAN (SHRI MD. SALIM): Shall I do it again? Okay again because he is doubtful.

Those in favour may please say "Aye".

SOME HON. MEMBERS. "Aye".

THE VICE-CHAIRMAN (SHRI MD. SALIM): Those against may please say 'No".

SOME HON. MEMBERS: "No".

THE VICE-CHAIRMAN (SHRI MD. SALIM): I think, the "Ayes" have it, the "Ayes" have it, the "Ayes" have it.

SOME HON. MEMBERS: No, no.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Division? You are pressing for a division?

SHRI JAGESH DESAI: ...What you are doing today is totally unconstitutional. (*Interruptions*).

THE VICE-CHAIRMAN (SHRI MD. SALIM): You are pressing for a division?

SHRI V. NARAYANASAMY: I say, the "Noes" have it. (*Interruptions*)...

THE VICE-CHAIRMAN (SHRI MD. SALIM): So, the resolution is adopted.

Now, Mr. Masud Khan... (*Interruptions*)... Nobody asked for it. I offered. (*Interruptions*) Please, let there be order.

SHRI MOHD. MASUD KHAN (Uttar Pradesh): (*Interruptions*)... It should cover all the Ministers, representatives of the people and officers of the Government at various levels; it should confer the authority on Lokpal/Lokayukta to investigate and get the concerned persons prosecuted for committing the crimes of bribery and acts which constitute misuse of power; Lokpal/Lokayukta may be elected by three-fourths majority of Members of Parliament and the State Legislature respectively ... (*Interruptions*)..

SHRI V. NARAYANASAMY: I have said, the 'Noes' have it. I do not agree... (*Interruptions*)...

SHRI JAGESH DESAI: We said, the 'Noes' have it... (*Interruptons*).

THE VICE-CHAIRMAN (SHRI MD. SALIM): That is all right. But you did not ask for a division. (*Interruptions*)..

THE VICE-CHAIRMAN (SHRI MD. SALIM): After the voice vote, I said, "If you dispute it," do you press for a division?... (*Interruptions*)...

SHRI BHUBANESWAR KALITA): I have said. "division"... (Interruptions): I have asked for a division.. ...(*Interruptions*)..

The Deputy Chairman in the Chair)

THE DEPUTY CHAIRMAN: If one person speaks at a time, I can understand. I cannot understand if two or three people speak together. Let her explain, then I will call you.. (*Interruptions*). Yes, Mrs. Alva (*Interruptions*)... Mr. Bhandari, I will ask you to speak later.

(SMT. MARGARET ALVA): Madam, on the Resolution on women, as you know, it was agreed that Mr. Viren J. Shah would reply on that and the Minister would also speak on it At that stage, the Minister for Women, who is here, requested that after he had replied on Women's Commission, she would like to speak and clarify some points since issues relating to women were also involved. The Chair felt that once it was over, there was no question. There were a number of points of order raised, and subsequently, the question of putting it to vote came. We appealed to him to withdraw it but he refused to withdraw it. What happened at that stage was that the voice vote was taken and the Chair said, the 'Ayes' had it and it was challenged from here by a couple of hon. Members. I believe that the Chair said, "If you do not agree to that, you ask for a division" ...(*Interruptions*) ...

THE DEPUTY CHAIRMAN: Just a second, please. There is not point in getting so agitated; before I have heard the Minister I cannot say anything. I was is a meeting, in the Speaker's Chamber and when somebody said that I was needed here, I came straight away. Let me first get the whole point because I remember, in ther morning when I went half way from presiding in the Chairman's Chamber, the Minister for Women and Child Development, came to the Chairman's Chamber and before me she said that though this Bill has to be replied to by the Home Ministry because it is regard-the atrocities on women mainly, there are certain issues which are concerning women. That is why I have been listening to it all the time though I won't reply. But I would be there; if necessary, I can answer that. This is what happened. Shrimati Alva was there, Mr. Shukla was there and the Chairman was there. So, I am a witness to it. Let me hear what happened afterwards now.

SHRIMATI MARGARET ALVA: Madam, what had happened was, a number of Members who said, "The Noes have it, the Noes have it" say

that it was presumed. Then they said that it would go for a division, because they challenged the voice vote. So, they are claiming that the Vice-Chairman should put it to vote. ...(*Interruptions*)... And Kalitaji also insisted and immediately said, "Let us have a division"... (*Interruptions*)...

श्री सुन्दर सिंह भण्डारी : उपसभापति महोदया, आपने जैसा अभी कहा कि कुछ ऐसे मुद्दे थे जिस पर सरकार की तरफ से दूसरे मंत्री भी स्पष्टीकरण इस सवाल पर देते। मुझे आपकी अनुमति में या अगर यहां सरकार की तरफ से उसके पहले एक मिनिस्टर, चार मिनिस्टर जिनको कि आप अनुमति दें, वह बोलें उनका हक है, आपकी इजाजत है। उनको अपने विचार रखने की जरूरत थी। परन्तु अधिकृत उत्तर हो जाने के बाद फिर मूवर आफ दि रिजोल्यूशन ने उसका जवाब दे दिया। सामान्य रूप से सारा विवाद उस स्टेज पर समाप्त हो गया। यह बात ठीक है कि उसके बाद भी विवाद चलता रहा कि कुछ और चीजें कही हैं उन्होंने, उसका जवाब देना है। यहां पर वाईस चेयरमैन साहब ने उसकी भी इजाजत दे दी और उसके बाद जब यह कहा गया श्री वीरेन जे. शाह को कि क्या वे अपना रिजोल्यूशन विद्ड्रा करते हैं, तो उन्होंने कहा कि मैं नहीं करता, उस पर वोट करा लीजिए। वोट के लिए रखे जाने के बाद "हां" और "ना" पक्ष के आधार पर वाईस चेयरमैन साहब ने यह कहा कि "हां" पक्ष जीता, उस समय किसी ने भी डिवीजन की मांग नहीं की। ...(**व्यवधान**)...

THE DEPUTY CHAIRMAN: I agree you have a dsay. (*Interruptions*). Just a minute please. One second, please. Let Mr. Bhandari say what he has to say. I will let you say what you want to say and then we will come to a solution. After all it is a matter of women. Let us not have a division of woman itself.

श्री सुन्दर सिंह भण्डारी : मैंने जैसा निवेदन किया कि वॉयस वोट के बाद उपसभाध्यक्ष जी ने यह कहा कि "हां" पक्ष जीता है और इसीलिए यह मामला समाप्त होकर.. (**व्यवधान**).. क्योंकि किसी ने उस समय आपत्ति नहीं की। तथा उसके बाद एजेंडा पर जो दूसरा रिजोल्यूशन आज है उस पर श्री मोहम्मद मसूद खान को बोलने के लिए बुलाया यहां तक बात हो गई है। उसके बाद वह बोलने के लिए खड़े भी हो गए.. ...(**व्यवधान**)

उपसभापति : निर्णय लेने दीजिए जरा। ...(**व्यवधान**)

SHRI S.K.T. RAMACHANDRAN: Madam...

THE DEPUTY CHAIRMAN: I will listen to you. Let me first listen to Mr. Bhandari.

श्री सुन्दर सिंह भण्डारी : जब दूसरा विषय, दूसरे मूवर रिजोल्यूशन मूव करने के लिए बुला लिया गए, वे खड़े हो गए, उन्होंने अपना प्रस्ताव पढ़ लिया तो पहले रिजोल्यूशन का जो कुछ भी उसका फैसला होना था वह हो चुका। उसको दोबारा खोला नहीं जा सकता। मेरा बस आपसे यही निवेदन है।

SHRI BHUBANESWAR KALITA (Assam): Madam, the background has been explained to you by the hon. Minister for Parliamentary Affairs, and the Member of the Opposition has also explained it to you. Madam, the fact is that immediately after the Resolution was put to vote and the voice vote was taken, and when he declared 'Ayes' have it, I did not lose even a second. I stood up from my seat and I asked and pressed for a divison. (*Interruptions*) I pressed for a division. You can see from the record. (*Interruptions*) I have not lost even a second I immediately asked for a division. You can see from the record.

...(**व्यवधान**)...

श्री नारायण प्रसाद गुप्ता : उपसभापति महोदया ...(**व्यवधान**)...

उपसभापति : अच्छा, एक मिनट... (व्यवधान) . . .एक मिनट . . (व्यवधान) . . अभी भण्डारी जी की बात सुनी उनकी भी सुन लें क्योंकि हम यहां तो थे नहीं तो मुझे पूरी बात मालूम नहीं है। मैं सुन लूं . . (व्यवधान) . . बात तो सुनिए; बात सुन लीजिए . . (व्यवधान) . . बात सुनने तो दीजिए . . (व्यवधान) . . .

श्री नारायण प्रसाद गुप्ता : उपसभापति महोदया, श्री . . . (व्यवधान) . . मेरी ओपीनियन यह है कि एक बार पास हो जाने पर उसे दोबारा ही लिया जा सकता। . . (व्यवधान)

उपसभापति : बैठिए, बैठिए आप . . . (व्यवधान) . . गुस्सा मत करिए। गिरी जी बैठिए। बैठ जाइए। (व्यवधान) . . .

SHRI BHUBANESHWAR KALITA: Madam, my second point is... (*Interruptions*) Immediately after my pressing for a division immediately the lights were on. You can see from the machine, you can see from the record. Because I asked for a division, before the process started, the lights were on. This is on record. You can check it, Madam and give your ruling. I still pray that the Resolution should be put to vote and a division should be taken. (*Interruptions*)

SHRI S.K.T. RAMACHANDRAN (Tamil Nadu): Madam, I stood up, Mr. Narayanasamy stood up. We all wanted a division. (*Interruptions*) All of a sudden the Chair gave his verdict on the Resolution. (*Interruptions*) Madam, this is quite unprecedented. (*Interruptions*)

श्री नारायण प्रसाद गुप्ता (मध्य प्रदेश) : चेयर को चैलेंज किया जा रहा है उपसभापति महोदया। . . (व्यवधान) . . चेयर को चेलैंज किया जा रहा है। यह परंपरा के विपरीत है, एक चीज पास हो जाने के बाद। यह तो चैयर को चैलैंज किया जा रहा है। . . (व्यवधान) . . यह परंपरा गलत डाली जा रही है, इसकी अनुमति मत दीजिए। . . (व्यवधान) . .

श्री संघप्रिय गौतम : मैडम, यह चैयर का अपमान है। . . . (व्यवधान) . . . यह कुर्सी का अपमान है। . . . (व्यवधान) . . .

श्री सुन्दर सिंह भण्डारी : घंटी भी नहीं बजी तो जो प्रोसेस होना चाहिए था, जब वह नहीं हुआ और उसे मान लिया गया तो अब यह कहा जा रहा है। अब दूसरा विषय आ गया है। . . (व्यवधान) . .

श्री नारायण प्रसाद गुप्ता : मैडम, यह चेयर का अपमान है। . . (व्यवधान) . .

SHRI S.K.T. RAMACHANDRAN: Madam, Mr. Narayanasamy said it, Mr. Desai said it. (*Interruptions*) I am very sory, it has created a very bad precedent. Madam, you can see from the record. (*Interruptions*)

THE DEPUTY CHAIRMAN: I will allow Mr. Ghulam Nabi Azad.

SHRI BHUBANESWAR KALITA: Madam, let there be a fresh vote. This House cannot be rigid. We have to be fiexible.

उपसभापति : गुलाम नबी जी को सुन लीजिए। . . (व्यवधान) . . मैं आपसे सुनूंगी आपकी पूरी बात। . . (व्यवधान) .

श्री नारायण प्रसाद गुप्ता : मैडम, यह चेयर का अपमान है। जो आलरेडी फैसला दे चुके हैं, उनके डिसीजन को, निर्णय को यहां दोबारा लेना एक चुनौती है। (व्यवधान) यह परम्परा गलत डाली जा रही है। इसका मैं विरोध करता हूं। . . (व्यवधान) . .

THE MINISTER OF CIVIL AVIATION AND TOURISM (SHRI GHULAM NABI AZAD): Madam, there seems to be, unfortunately, some misunderstanding. With all respect to (*Interruptions*)

THE DEPUTY CHAIRMAN: You see, there is always an agreement. As I requested, on the issue of women, let us not divide the House because I am sure, the ruling party Members are as much concerned about women as Mr. Viren J. Shah is. As a special consideration, I must say, Mr. Viren Shah's Resolution got so much importance and so many Members spoke. Only as a special case, because it was an issue concerning women, that we pleaded with the hon. Chairman and the hon. Chairman agreed. That is why he was allowed, as a special consideration.

SHRI BHUBANESHWAR KALITA: Madam, about the merits of the Resolution, we have debated twice. We have raised a few points that it may take away the rights of the State Governments. This is the Council of States. If we pass this Resolution without any change, the people would say that we did not raise the voice of the States. Madam, we have no quarrel with the merits of the Resolution. But the point is whether we should take away the rights of the States. This being the Council of States, we should not do that. This is what I wanted to remind the thing. (*Interruptions*)

THE DEPUTY CHAIRMAN: Mr. Pranab Mukherjee wants to say something (Interruptions)

THE MINISTER OF EXTERNAL AFFAIRS (SHRI PRANAB MUKHAERJEE): Madam, a peculiar situation has arisen. The Presiding Officer has already given his judgement. I am not going into the merit of what the Presiding Officer has said. But I think the whole House as a collective body, should express its opinion. I talked to the mover of the Resolution and senior leaders of the Opposition. My most respectful submission to you would be, instead of just depending on the technicality of this issue, if you adjourn the House for a short while, senior leaders of the Government and the Opposition parties, including the mover of the Resolution, could meet in your chamber and through discussions we can resolve this issue so that the House, collectively can express its opinion on this very important, vital and sensitive issue by passing the Resolution.

श्री नारायण प्रसाद गुप्ता : मैं म, मेरा आपसे निवेदन है कि इसकी अनुमति नहीं दी जानी चाहिए।

उपसभापति : मैं आपको बोलने की अनुमति नहीं दे रही हूं इसलिए जरा आप चुप रहिए।

SHRI PRANAB MUKHERJEE: Madam, my submission is that today itself, the House can collectively pass a Resolution, unanimously pass a Resolution in the form....

SHRI JAGDISH PRASAD MATHUR: Another?

THE DEPUTY CHAIRMAN: This one..

SHRI PRANAB MUKHERJEE: Today itself we can do it.

SHRI JAGDISH PRASAD MATHUR: Another Resolution or this Resolution?

SHRI PRANAB MUKHERJEE: Today itself it can be adopted. I think if we discuss it in your chamber, Madam perhaps we will be able to resolve the issue. Most respectfully, I would submit that on this issue, the House should not have a divided opinion. (*Interruptions*) Technically, you may be correct that it has been done already. But won't you like to have the other half of the House also to be with you in this? The Minister of Parliamentary Affairs told me that

with some minor changes in the Resolution which the mover himself can do, it would be possible for us to agree and we can adopt it. This is what I would like to submit for your consideration, Madam.

THE DEPUTY CHAIRMAN: I think I will adjourn the House. (*Interruption*). One minute, please. (*Interruptions*).

SHRI VIREN J. SHAH: Please listen to me, Madam. (*Interruptions*)

THE DEPUTY CHAIRMAN: The trouble is this (*Interruptions*) Just one second, please. It is the mover only who has the right to speak. I am very sorry. Everybody cannot speak. (*Interruptions*)

SHRI JAGDISH PRASAD MATHUR: Madam, on a point of order.

THE DEPUTY CHAIRMAN: No point of order. I do not accept it.

SHRI JAGDISH PRASAD MATHUR: I am helping in the process. (*Interruptions*). You may accept the point of order, or; you may not accept it. But I woud like to support him and help in the process where we can do what he is wanting us to do. I support what Mr. Pranab Mukherjee has said. It does not go against the procedure of the House. I agree wih his desire. I agree that it should be done, but in a proper manner. That is all.

THE DEPUTY CHAIRMAN: For the first time, Mr. Mathur has given a very sensible suggestions I fully endorse it. (*Interruptions*) for the First time through a point of order, a very good suggestion has been made. (*Interruptions*)

SHRI JAGDISH PRASAD MATHUR: You do not listen, Madam. That is the difficulty.

SHRI VIREN J. SHAH: Madam, are you not allowing me to speak?

THE DEPUTY CHAIRMAN: Mr. Viren Shah, please.

SHRI VIREN J. SHAH: Madam, you have mentioned that Mr. Pranab Mukherjee came and spoke to you and, with my consent; told you that this is the way we could find a solution to it. What I understood from what he said was this. It is very right. The Presiding Officer has given his judgement, opinion, of whatever it is. Mr. Pranab Mukherjee's point is very valid, that we should not go into the question of technicality where the Presiding Officer has given his final order on this, of this Resolution having been carried, and took up the next Resolution.

4.00 PM

It can lead to a peculiar situation. So the suggestion for the purpose of this Resolution—as the Presiding Officer said it is adopted—is that we adjourn immediately and sit in the Chamber of the Chairman and, would I be willing to do that and find a solution? To that I said, yes, I would be willing to do that. But the Presiding Officer's position should not in any way become jeopardized, because today it, may be Mr. X, tomorrow it may be Mr. Y. Whether it is Mr. Narayanasamy or Mr. X is not the point. It is the Chair. It is the position of the Chair that matters. (*Interruptions*).

THE DEPUTY CHAIRMAN: Mr. Miri, please. (*Interruptions*)

SHRIMATI MARGARET ALVA: When he said, "Noes have it, Noes have it", we had a right to vote... (*Interruptions*)

THE DEPUTY CHAIRMAN: One minute. . (*Interruptions*)

SHRIMATI MARGARET ALVA: The moment he said, "Noes have it", we had the right to vote on it.

THE DEPUTY CHAIRMAN: Mrs. Alva, one minute. (*Interruptions*). .

Mr. Miri, this House has been running before we became Members, and I hope it will be there when we retire from here. But let us not leave for posterity something like this. The Presiding Officer's judgment is there. Let us not challenge it. As the imporance of the Resolution is also there—and there are no two opinions about it—and atrocities against women are to be taken seriously by the Government—and that is why the Home Minister and the Minister for Human Resource Development and every body is here—the suggestion which is made by Mr. Pranab Mukherjee is being accepted by the mover of the Resolution. The Chair really thanks him for that. Mr. Shah, I thank you on behalf of my colleagues on the panel for doing this, and I will adjourn the House for 15 minutes and we will discuss how and what amendment or whatever you want, and then we will come back and find a solution.

The House is adjourned for 15 minutes.

The House then adjourned at two minutes past four of the clock.

The House reassembled at twenty minutes past four of the Clock, THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY) in the Chair.

THE VICE-CHAIRMAN (SHRI V. NARAYANAAMY): Some consensus is being arrived at. The hon. Deputy Chairman and the Parliamentary Affairs Minister are there. Mr. Viren J. Shah is also going to say something. I think we will find a solution for this.

SHRI SANGH PRIYA GAUTAM: What type of solution?

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): You know the solution.

DR. BIPLAB DASGUPTA: But it should not be diluted.

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): We are not diluting anything. It will be only by consensus.

DR. BIPLAB DAS GUPTA (West Bengal): Sir, compared to that happened yesterday, today is very thin. There is not much of excitement.

(**THE DEPUTY CHAIRMAN** in the Chair)

THE DEPUTY CHAIRMAN: This is the only Chair from which people easily move out. There are no other chairs in this country from which people will move out easily. It is a difficult chair. That is why people move out easily.

I am happy for one thing that we never had very serious situations in this House and all the Members from both the sides and the Centre come together. However heated their arguments might be on the floor of the House, when they sit in the Chamber—my Chamber or the Chairman's Chamber—they all cool down and come to a conclusion.

The point is that there was some confusion about it. As I said before, this Resolution of Mr. Viren Shah is of great importance and everybody was interested in it, especially all the women Members. I am happy that he brought forward that. Everybody was interested in it and it does not really look nice that there should be any division or two opinions on such a Resolution.

Mr. Viren Shah is to very graciously move such an amendment so that the House can adopt such an important Resolution unanimouslv. This will become history.

Having said this I would say that because of the importance of the Resolution, I have suspended all rules and conventions of this House. But this will not become a precedent for future to be quoted and any time any ruling of the Vice-Chairman or any Presiding Officer would be binding on the House. Whatever is said it is final.

AN HON. MEMBER: But confusion is there.

THE DEPUTY CHAIRMAN: Confusion is always there in the House, which is sometimes confounded. Now Mr. Viren Shah.

SHRI VIREN J. SHAH: Madam, with your permission I would first move an amendment to the Resolution that I had moved last year. On 6th May, 1994. Madam, I move:

That in para (e) *for* the words "most of the", the words "as far as possible such" be *substituted* I also move:

That the existing para (f) be replaced by the following para: 'such cases should be decided, to the extent possible within a period of six months. In case of delay beyond that period, the reasons for such delay should be recorded." be *substituted*.

The questions were put and the motions were adopted.

THE DEPUTY CHAIRMAN: I will now put Shri Viren Shah's Resolution, as amended, to vote. The question is:

"This House expresses its deep concern over the—

(i) increasing incidents of rape, molestation, abduction, kidnapping and atrocities being committed on women in various parts of the country and even in the police custody;

(ii) illegal detention and torture by the police which has become a way of life;

(iii) failure of Government machinery, coupled with judicial delays to protect the life, honour, self-respect and dignity of women in the country; and

with a view to improving the status of women, safeguarding their honour and dignity in the country, this House urges upon Government to take immediate steps to revamp the police and legal machinery to ensure that—

(a) our laws respect the principle of quality;

(b) our laws are written in the local languages of the people;

(c) they assume the responsibility for informing the citizens of their basic rights;

(d) our laws are made sensative to the specificities of the local situation;

(e) as far as possible such cases are decided locally so that people, especially women, are saved from expensive commuting to see redressal;

(f) such cases should be decided, to the extent possible, within a period of six months. In case of delay beyond that period, the reasons for such delay should be recorded.

(g) judges become intimately familiar with local customs and usages;

(h) police administration is reoriented and reorganised so that the police help the victims of atrocities and do not continue to be perpetrators;

(i) the persons involved and the police officials found guilty are given exemplary punishment;

(j) victims of atrocities and torture, etc. at the hands of police and other are adequately compensated; and

(k) women organisations and women Members of Legislature are closely associated in making and implementing the laws relating to women."

The motion was adopted

THE DEPUTY CHAIRMAN: Thank you very much. Mr. Viren Shah, I also clap for you. Mr. Shah, I am thankful to you and to your colleagues, Mr. Bhandariji, Mr. Mathurji, Mr. Chaturvediji and all of you here. ...(*Interruptions*)...

SHRI VIREN J. SHAH: Mr. Pranab Mukherjee, please don't run away. away. Mr. Pranab Mukherjee was the one who mediated on behalf of Mrs. Alva. He suggested a solution and I accepted it. So, he also played a key role.

SHRIMATI MARGARET ALVA: Madam, the same amendments when moved by me were not acceptable to him. But when Mr. Mukherjee moves them, he accepts them.

SHRI VIREN J. SHAH: I did not want to show to the House that I was partial to Mrs. Alva.

SHRIMATI MARGARET ALVA: This shows how much respect he has for a women.

SHRI VIREN J. SHAH: I did not want the House to know how much affection I have for Mrs. Alva and how much influence she has over me. And hence I wanted Pranab to do it.

THE DEPUTY CHAIRMAN: Mrs. Alva, it is not that he doesn't have respect for women; otherwise he would not have pursued the case of women from the 6th May, 1994. He has asked Mr. Pranab Mukherjee to support it because he wanted to show how good the men are. We are thankful to them. It is a very good thing.

When I was a new Member in this House, I used to observe how Mr. Pranab Mukherjee used to solve most of the problems. I would like him to be in the House most of the time so that if there is any crisis, he can solve it. I hope that there are no crises in future.

SHRI PRANAB MUKHERJEE: Thank you.

SHRI S. VIDUTHALAI VIRUMBI (Tamil Nadu): Madam, we have wasted some time of the Private Members' Business. I feel that the Private Members' Business should be extended up to 6 o'clock.

THE DEPUTY CHAIRMAN: It is entirely up to the House to decide.

SHRI S. VIDUTHALAI VIRUMBI: It can be extended up to 6 o'clock.

THE DEPUTY CHAIRMAN: Okay, if there is no...(*Interruptions*)...

SOME HON. MEMBERS: No. It cannot be extended.

THE DEPUTY CHAIRMAN: If Members want to sit up to 6 o'clock, it is entirely up to them.

RESOLUTION DEMANDING AMENDMENT OF CONSTITUTION FOR ESTABLISHMENT OF LOKPAL/LOKAYUKTA TO PREVENT CORRUPTION IN PUBLIC LIFE

श्री मोहम्मद मसूद खान (उत्तर प्रदेश) : हमने मूव तो कर दिया लेकिन फिर दोहरा देता हूं । डिप्टी चेयरमैन साहब, आपकी परमिशन से मैं अपना रेजोल्यूशन पेश कर रहा हूं :